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Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Security Council
Sixty-first year

Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the members of the Security Council the thirteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, submitted by the President of the International Tribunal in accordance with article 34 of the statute of the Tribunal (see S/25704 and Corr.1, annex), which states that:

> "The President of the International Tribunal shall submit an annual report of the International Tribunal to the Security Council and to the General Assembly".

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Letter of transmittal

15 August 2006

Excellencies,

I have the honour to submit the thirteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 dated 15 August 2006 to the General Assembly and the Security Council, pursuant to article 34 of the statute of the International Tribunal.

Please accept, Excellencies, the assurances of my highest consideration.

(*Signed*) Fausto **Pocar**
President

President of the General Assembly
United Nations
New York, NY 10017

President of the Security Council
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Thirteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Summary

The thirteenth annual report of the International Criminal Tribunal for the Former Yugoslavia covers the period from 1 August 2005 to 31 July 2006.

During the reporting period, a number of concrete measures were adopted to increase the efficiency and efficacy of the Tribunal's proceedings. The three Trial Chambers ran six trials simultaneously and three trials of multi-accused, involving 21 accused, commenced much earlier than anticipated. The Appeals Chamber expedited its proceedings with the adoption of recommended rule amendments put forward by the working group on speeding up appeals. The work of the Trial Chambers likewise benefited from the recommendations of the working group on speeding up trials, which advocated a fundamental shift in the way the Tribunal conducts its trials within the existing rules.

The Tribunal continued to focus on the most senior-level persons accused of the most serious crimes and, during the reporting period, the cases of nine lower to mid-level accused were transferred to national jurisdictions pursuant to rule 11 bis.

The Tribunal also continued its work on external reforms by hosting an increased number of working visits to the Tribunal and by offering more training programmes to courts in the region in the interests of furthering the development of the rule of law in the former Yugoslavia as a key component of the Tribunal's legacy. The judges of the Tribunal have increased their involvement with the local judiciaries and built relationships of mutual cooperation.

Currently, the Tribunal has 28 judges from 26 countries. Following the adoption by the Security Council of resolution 1660 (2006) on 28 February 2006, the Tribunal's assignment of serving ad litem judges has increased from a maximum of 9 to 12. This is to allow reserve ad litem judges to be assigned to multi-accused trials to prevent the possibility of delay caused by a trial having to be restarted should more than one of the judges be unable to complete the trial.

There were no new indictments issued by the Prosecutor during the reporting period, except for those for contempt of the Tribunal. The Prosecutor has continued to focus her efforts on securing the arrest of the remaining six fugitives. The failure to arrest Radovan Karadžić and Ratko Mladić remains of grave concern to the proper administration of justice.

The Office of the Prosecutor has strengthened its relations with prosecutors and courts in the region and with the Governments of the States of the former Yugoslavia. The Prosecutor is satisfied with the cooperation of some of those Governments but has been especially disappointed with the failure by Serbia and the Republika Srpska to trace and arrest outstanding fugitives.

The Registry continued to play a crucial role in the provision of administrative and judicial support to the Tribunal. During the reporting period, the Registrar successfully obtained 10 more relocation of witnesses and enforcement of sentences

agreements. In addition, the three courtrooms of the Tribunal and support facilities were remodelled so as to allow 18 accused to be tried simultaneously.

The Registry was also instrumental in ensuring the smooth transfer of rule 11 bis cases.

The Outreach Programme of the Registry carried out a diverse range of activities in the region aimed at increasing the profile of the Tribunal and bringing its judgements to the relevant communities. The Court Management and Support Services section supported 10 trials during the reporting period and maintained all relevant documentation. The Victim and Witnesses Section assisted 321 witnesses and accompanying persons in The Hague and continued its work in the relocation of protected witnesses.

The Detention Unit was the subject of an independent audit by representatives of the Government of Sweden, following the deaths in custody of Milan Babić and Slobodan Milošević. The audit was generally positive, but recommendations made for improvement in certain areas are being implemented by a working group.

The Office of Legal Aid continued to support the assignment of defence counsel to accused at the Tribunal. Recently, it developed an information technologies network to allow counsel access to the Tribunal's database from any location.

By its resolution 60/243, the General Assembly determined to appropriate to the Special Account for the Tribunal a total amount of $305,137,300 gross for the biennium 2006-2007. The appropriation reflects a nominal reduction of 7 per cent as compared with 2004-2005.

During the reporting period, 73 Professional staff and 103 General Service staff were recruited. The Tribunal currently has staff from 80 countries. The Tribunal is presently looking at methods to ensure the retention of its highly qualified staff.

To date, the Tribunal has concluded proceedings against 94 accused out of the 161 who have been charged. The report that follows details the activities of the Tribunal during the reporting period and illustrates the Tribunal's complete commitment to meeting the completion strategy targets while ensuring that due process is realized.

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I. Introduction

1. The thirteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia outlines the activities of the Tribunal for the period from 1 August 2005 to 31 July 2006.

2. Judge Fausto Pocar (Italy) was elected as President of the Tribunal on 17 November 2005, replacing Judge Theodor Meron (United States of America). Judge Kevin Parker (Australia) was elected Vice-President at the same time, replacing Judge Fausto Pocar (Italy).

3. During the reporting period, the Tribunal continued to focus on the implementation of its completion strategy endorsed by the Security Council in resolution 1503 (2003).

4. The Tribunal's three Trial Chambers operated at maximum capacity, running six trials simultaneously. Three trials of multi-accused, involving 21 accused, were commenced in April and July 2006, several months earlier than originally planned. The Trial Chambers rendered 447 decisions on pretrial matters involving 22 cases, heard two cases of contempt and rendered four judgements on the merits. Also, five 11 bis referral decisions, involving the transfer of nine accused to national jurisdictions, were reached. Likewise, the Appeals Chamber expedited its work, issuing 150 decisions, comprising 112 pre-appeal decisions and orders, 32 decisions on interlocutory appeals, four referral decisions and four judgements. In addition, one reconsideration decision was rendered.

5. The Tribunal continued to develop the judicial capacity of national authorities in the former Yugoslavia and strengthened its outreach activities as a key component of its legacy.

II. Activities involving the entire Tribunal

A. President

6. President Fausto Pocar pushed forward numerous reforms and initiated creative solutions for meeting the targets of the completion strategy during the reporting period. He also followed up on activity begun during the former presidency of Judge Theodor Meron.

1. Reforms

(a) Internal reforms

7. In September and November 2005, judges of the Tribunal unanimously adopted the recommended amendments of the working group on speeding up appeals to the Rules of Procedure and Evidence ("Rules"). These are detailed in full in the Tribunal's fourth completion strategy report to the Security Council (S/2005/781). They have resulted in shortening the time for the filing of appeals, avoiding repetitious filings, and expediting disposal of appeals.

8. In April 2006, the judges of the Tribunal adopted the final proposals of the working group on speeding up trials detailed in the Tribunal's fifth completion strategy report to the Security Council (S/2006/353). The working group's report centred on judges taking a more proactive approach to the conduct of trials. Pretrial judges are managing cases to ensure that they are trial-ready upon the vacancy of a courtroom. Pretrial judges are taking the central role in the conduct of rule 65 ter conferences for establishing workplans and setting strict timetables on disclosure of material and reaching agreement upon facts. To enforce timely fulfilment of disclosure obligations, pretrial judges are making greater use of the sanctions under rule 68 bis. Pretrial judges are also ordering the Prosecution to provide greater specification of its trial strategy in order to avoid delay caused by changes to its mid-trial. For purposes of streamlining trials, pretrial judges are imposing strict deadlines on the parties for the filing of information regarding their cases, including their pretrial briefs, pursuant to rule 65 ter (E).

9. In addition, pretrial judges are taking more decisions on the admissibility of adjudicated facts and documentary evidence from other proceedings under rule 94 (B). To encourage this, a new policy has been implemented by which a case is transferred as soon as possible to the Trial Chamber that will actually hold the trial allowing for the pretrial judge to sit on the trial.

10. Trial Chambers are also proactively expediting trials. Notably, Trial Chambers are using rule 73 bis to oblige the Prosecution to focus its cases. Rule 73 bis allows the Trial Chamber at the pretrial conference to order the Prosecution to limit the presentation of its evidence and to fix the number of crime sites or incidents contained in one or more of the charges. Calls for cooperation from the Prosecution to reduce its lengthy cases have been less than satisfactory. Aware that the length of trials begins with the breadth of the Prosecution's indictments, the judges adopted an amendment to rule 73 bis to allow a Trial Chamber to invite and/or direct the prosecution to select those counts in the indictment on which to proceed. This amendment is necessary to ensure respect for an accused's right to a fair and expeditious trial and to prevent unduly lengthy periods of pretrial detention. The Prosecutor strongly opposed this amendment, even though focusing indictments is part of the trial management commonly used in national jurisdictions and does not impact on prosecutorial prerogatives.

11. In the reporting period, the Tribunal proceeded with the joinder of cases with the same crime base. In April and July 2006, three trials, involving a total of 21 accused and consolidating 14 cases, began. The commencement of these trials was greatly accelerated by the implementation of the reforms recommended by the working group on speeding up trials.

12. In addition, the Tribunal referred its first cases against low to mid-level accused to national jurisdictions pursuant to rule 11 bis. The cases of nine accused have been transferred following referral under Rule 11 bis: seven accused have been transferred to Bosnia and Herzegovina and two to Croatia.

13. Following a successful pilot run of the e-Court system last year, which integrates all documents into a central electronic database, the system was applied to all trials at the Tribunal in the reporting period.

(b) External reforms

14. In the reporting period, the Tribunal increased its involvement in working visits and training programmes to enhance the judicial capacity of national courts and the profile of the Tribunal's work. These are summarized in more detail in the Tribunal's fourth and fifth completion strategy reports.

2. Diplomatic relations and other representation

15. In November 2005, former President Meron met with the Prime Minister of Serbia, Vojislaw Kostunica, in Serbia, with the aim of improving Serbia's cooperation with the Tribunal. President Pocar met on several occasions with the President of the Court of Sarajevo, Medzida Kreso, and with judges of the Special War Crimes Chamber in Bosnia and Herzegovina and of the Belgrade District Court. On 31 March, President Pocar travelled to Brussels to take part in a donor's conference on the funding needs of the State Justice Sector Institutions of Bosnia and Herzegovina and urged the international community to continue to support the judicial institutions of Bosnia and Herzegovina. In May 2006, President Pocar travelled to Sarajevo to continue the Tribunal's dialogue with the judges of the Special War Crimes Chamber and for follow-up to the donor's conference held in Brussels. During that visit, President Pocar held meetings with the Chairman of the Presidency of Bosnia and Herzegovina, Sulejman Tihić; the High Representative, Christian Schwarz-Schilling; the Minister of Justice, Slobodan Kovać; and the Chairman of the Council of Ministers of Bosnia and Herzegovina, Adnan Terzić. Various other meetings between President Pocar and government representatives from the region were held at the Tribunal.

16. On 17 March 2006, President Pocar convened a diplomatic seminar at the Tribunal, which was attended by over 80 representatives from the diplomatic missions to The Netherlands, to inform them of the circumstances known at the time surrounding the death of Slobodan Milošević in the Detention Unit. Following the seminar, the President and the Registrar held a press conference to inform the media of the circumstances surrounding the death.

17. On 7 April 2006, a further diplomatic conference was held at the Tribunal during which the President, Prosecutor and Registrar updated over 80 members of the diplomatic corps on the Tribunal's implementation of its completion strategy. President Pocar also informed them of the results of the Dutch inquest into the death of Slobodan Milošević and the progress of the internal inquiry ordered by the President on 11 March 2006 and headed by Judge Parker. He also advised of the progress of the conduct of an independent audit by the Government of Sweden of the Detention Unit, as requested by the Registrar under the authority of the President.

18. Former President Meron addressed the General Assembly on 10 October 2005 in order to present the annual report of the Tribunal covering the period from 1 August 2004 to 31 July 2005. On 30 November 2005, President Pocar submitted the Tribunal's fourth completion strategy report pursuant to Security Council resolution 1534 (2004). On 15 December, the President and the Prosecutor addressed the Security Council on that report. On 31 March 2006, the President addressed the Security Council via video link from The Hague on the deaths in the Detention Unit of Milan Babić and Slobodan Milošević. On 29 May 2006, President Pocar submitted the fifth completion strategy report and on 7 June, the President and

the Prosecutor reported to the Security Council on the progress of the completion strategy. The President also updated the Security Council on the findings of the Tribunal's internal inquiry into the death of Slobodan Milošević following the issuing of Judge Parker's report on 30 May, and on the Government of Sweden's independent audit of the Detention Unit, also issued in May. On 8 June, Judge Parker's report on the internal inquiry into the death of Milan Babić was completed and was immediately transmitted by the President to the members of the Security Council and the diplomatic community.

3. Judicial activity

19. By virtue of the powers vested in him by the statute, the rules and the practice directions of the Tribunal, the President issued numerous orders in 2005, such as those assigning cases to Chambers and appointing pre-appeal judges. Following the termination of the Milošević proceedings in March 2006, the President reorganized the Trial Chambers to fully engage the judges of that Chamber as soon as possible and to allow for the three trials of multi-accused to start much earlier.

20. In addition, the President initiated the adoption of resolution 1660 (2006) by the Security Council on 28 February 2006, allowing the Secretary-General to appoint ad litem reserve judges to trials of multi-accused. These judges will be able to replace a judge who is no longer able to sit on a bench and prevent delay caused by having to restart the trial.

21. President Pocar also disposed of numerous requests for review of the decisions of the Registrar in relation to the assignment or removal of defence counsel, communication bans and conditions of detention. He issued orders designating the State in which Zoran Žigić, Dario Kordić, Miodrag Jokić, and Dragan Nikolić are to serve their sentences. He also granted requests for early release to Esad Landžo, Drazen Erdemović, Drago Josipović, and Amir Kubura. The President rejected an application made by Predrag Banović.

B. Bureau

22. Pursuant to rule 23, the Bureau is composed of the President, the Vice-President and the presiding judges of the three Trial Chambers. The President consults the Bureau on all major questions relating to the functioning of the Tribunal.

23. During the reporting period, the Bureau met to discuss numerous issues regarding the proper administration of the Tribunal and the Detention Unit. For example, the Bureau endorsed a new policy aimed at better managing requests for the translation of documents and considered the conditions of detention following the issuing of the Government of Sweden's independent audit of the Detention Unit.

C. Coordination Council

24. Pursuant to rule 23 bis, the Coordination Council consists of the President, the Prosecutor and the Registrar. During the reporting period, the Council met in September and November 2005, and in February, March and May 2006. The Council addressed organization-wide efforts to meet the completion strategy,

efficiency within the court system, the Prosecutor's lengthy and complex indictments, the deaths in custody of Slobodan Milošević and Milan Babić and coordination of mandated reports and visits to the General Assembly and Security Council.

D. Plenary sessions

25. During the reporting period, the judges held four extraordinary plenary sessions and one regular plenary session.

26. At the extraordinary plenary session of 17 November 2005, elections were held for the presidency of the Tribunal. At the December extraordinary plenary session, the judges authorized the President's proposal to the Security Council for the appointment of reserve judges to multi-accused trials. Further extraordinary plenary sessions were held in March and May 2006, for the purpose of discussing specific rules proposals.

27. A regular plenary session was held in June 2006. The judges discussed numerous issues concerning the work of the Tribunal and took a decision to convene a further extraordinary plenary session in September 2006 to discuss ways in which to expedite trial proceedings and to consider various rule amendments aimed at expediting trials without sacrificing due process. The judges also took a decision to bring to the attention of the General Assembly the disparity between their pension entitlements and those of the judges of the International Court of Justice. The disparity contravenes article 13 of the statute of the Tribunal, which provides that terms and conditions of the judges of the Tribunal should be the same as those applicable to the judges of the International Court of Justice.

E. Rules Committee

28. The judicial membership of the Rules Committee changed during the reporting period. It currently comprises Judge Agius (Chair), President Pocar, Vice-President Parker and Judges Orie and Kwon.

29. The non-voting members of the Rules Committee are two representatives each from the Office of the Prosecutor, the Registry and the Association of Defence Counsel.

30. Amendments to the Rules of Procedure and Evidence adopted by the judges in plenary sessions during the reporting period are found in Tribunal documents IT/241, IT/244 and IT/247.

III. Activity of the Chambers

A. Composition of the Chambers

31. The Tribunal has 28 judges from 26 countries. The Chambers are composed of 16 permanent judges, including 2 judges of the International Criminal Tribunal for Rwanda serving in the Tribunal's Appeal Chamber and 12 ad litem Judges.

32. The 14 permanent judges are Fausto Pocar (President, Italy), Kevin Parker (Vice-President, Australia), Patrick Lipton Robinson (Presiding Judge, Jamaica), Carmel A. Agius (Presiding Judge, Malta), Alphonsus Martinus Maria Orie (Presiding Judge, Netherlands), Mohamed Shahabuddeen (Guyana), Liu Daqun (China), Theodor Meron (United States of America), Wolfgang Schomburg (Germany), O-gon Kwon (Republic of Korea), Jean-Claude Antonetti (France) and Iain Bonomy (United Kingdom of Great Britain and Northern Ireland). Judge Amin El Mahdi (Egypt) was not re-elected as a permanent judge to the Tribunal and Judge Florence Ndepele Mwachande Mumba (Zambia) did not stand for re-election; they were replaced in November 2005 with Judge Christine Van Den Wyngaert (Belgium), previously serving as ad litem judge, and Judge Bakone Justice Moloto (South Africa). The two appeals judges from the International Criminal Tribunal for Rwanda are Judge Mehmet Güney (Turkey) and Judge Andrésia Vaz (Senegal). Judge Vaz was assigned on 15 July 2005, by order of President Eric Møse of the Tribunal for Rwanda, to replace Judge Inés Mónica Weinberg de Roca (Argentina). The replacement took effect on 15 August 2005.

33. The ad litem judges during the reporting period have been Joaquín Martín Canivell (Spain), Vonimbolana Rasoazanany (Madagascar), Bert Swart (Netherlands), Krister Thelin (Sweden), Christine Van Den Wyngaert (Belgium), Hans Henrik Brydensholt (Denmark), Albin Eser (Germany), Claude Hanoteau (France), Janet Nosworthy (Jamaica), Frank Höpfel (Austria), Stefan Trechsel (Switzerland), Árpád Prandler (Hungary), Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo), Ali Nawaz Chowhan (Pakistan), Tsvetana Kamenova (Bulgaria), Kimberly Prost (Canada) and judge Ole Bjorn Støle (Norway).

34. At the beginning of the reporting period, Trial Chamber I was composed of three permanent judges, Judges Liu (presiding), El Mahdi and Orie, and two ad litem judges, Judges Canivell and Hanoteau. Judge Van Den Wyngaert replaced Judge El Mahdi upon her election as a permanent judge of the Tribunal and Judge Moloto replaced Judge Liu upon his assignment to the Appeals Chamber, following the departure of Judge Mumba in November 2005. Judge Orie was appointed presiding judge of Trial Chamber I.

35. Trial Chamber II was previously composed of three permanent judges, Judges Agius (presiding), Antonetti and Parker. Ten ad litem judges have been assigned to cases in the Chamber in the reporting period: Judges Rasoazanany, Swart, Thelin, Van Den Wyngaert, Brydensholt, Eser, Trechsel and Prandler, and Mindua and Støle, who are assigned as reserve ad litem judges. The Chamber initially consisted of three sections and currently consists of two: section 1 of Trial Chamber II is composed of Judge Agius (presiding), sitting first with Judges Brydensholt and Eser and currently with Judges Kwon, Prost and Støle; section 2 was composed of Judge Antonetti (presiding), sitting with Judges Rasoazanany and Swart; and section 3 is composed of Judge Parker (presiding), sitting with Judges Thelin and Van Den Wyngaert who, following her election, currently serves as a permanent judge of Trial Chamber I. Judge Antonetti was assigned as a permanent judge to Trial Chamber III in May 2006 and was replaced by Judge Kwon from Trial Chamber III to accommodate trial management needs.

36. Trial Chamber III was initially composed of three permanent judges, Judges Robinson (presiding), Kwon and Bonomy. Following the termination of the Milošević trial, Judge Kwon joined Trial Chamber II and was replaced by Judge

Antonetti. The Trial Chamber is divided into three sections: Judge Antonetti sits with ad litem Judges Trechsel, Prandler and Mindua, who is assigned as a reserve judge, and Judge Bonomy sits with ad litem Judges Chowhan, Kamenova and Nosworthy, who also sits as a reserve ad litem judge. Judge Robinson currently sits with ad litem Judges Höpfel and Thelin for the purposes of pretrial work.

37. Lastly, the Appeals Chamber is currently composed of Judges Pocar (presiding), Shahabuddeen, Güney, Liu, Vaz, Meron and Schomburg.

B. Principal activity of the Trial Chambers

1. Trial Chamber I

(a) Pretrial

Šešelj-case

38. Vojislav Šešelj is charged with 14 counts alleging crimes against humanity and violations of the laws or customs of war in the territory of Croatia, in large parts of Bosnia and Herzegovina and in Vojvodina (Serbia), from August 1991 until September 1993. The Trial Chamber is composed of Judges Orie (pretrial judge), Robinson and Moloto. Trial is expected to commence in October 2006.

Milošević

39. Dragomir Milošević is charged with seven counts alleging crimes against humanity and violations of the laws or customs of war resulting from a campaign of shelling and sniping upon civilian areas of Sarajevo, from August 1994 until November 1995. The Trial Chamber is composed of Judges Orie (presiding), Moloto (pretrial judge) and Van Den Wyngaert. Trial is expected to commence towards the end of 2006.

(b) Trial

Krajišnik

40. Momčilo Krajišnik is charged with eight counts alleging genocide, crimes against humanity, and violations of the laws or customs of war in more than 30 municipalities in Bosnia and Herzegovina, during 1991 and 1992. The Trial Chamber is composed of Judges Orie (presiding), Canivell and Hanoteau. Trial commenced on 3 February 2004 and the judgement is expected to be pronounced in September 2006.

Martić

41. Milan Martić is charged with 19 counts alleging crimes against humanity and violations of the laws or customs of war against Croat civilians committed by military and police organizations in the SAO Krajina (later Republic of Serbian Krajina), between 1991 and 1995. The Trial Chamber is composed of Judges Moloto, (presiding), Nosworthy and Höpfel. Trial commenced on 13 December 2005 and is expected to conclude towards the end of 2006.

Rajić

42. Ivica Rajić pled guilty on 26 October 2005 to four counts of wilful killing, inhuman treatment, extensive destruction and appropriation of property in the area of Stupni Do in central Bosnia in 1993. The Trial Chamber was composed of Judges Van Den Wyngaert (presiding), Nosworthy and Höpfel. Judgement was delivered on 8 May 2006. The accused was sentenced to 12 years' imprisonment.

Halilović

43. Sefer Halilović was charged with one count of murder for the killing of Bosnian Croat civilians committed by subordinate brigades in Grabovica and Uzdol, Bosnia and Herzegovina, in September 1993. The Trial Chamber was composed of Judges Liu (presiding), Mumba and El Mahdi (Judge György Szénasi of Hungary was assigned initially to the case but was replaced by Judge Mumba upon his resignation for health reasons on 30 May 2005). Judgement was delivered on 16 November 2005 and the accused was found not guilty.

2. Trial Chamber II

(a) Pretrial

Boškoski and Tarčulovski

44. Ljube Boškoski and Johan Tarčulovski are charged with three counts of violations of the laws or customs of war allegedly committed in August 2001 in the former Yugoslav Republic of Macedonia. The Trial Chamber has issued 35 pretrial decisions.

Čermak, Markač and Gotovina

45. Ivan Čermak and Mladen Markač are charged with five counts of crimes against humanity and four counts of violations of the laws or customs of war allegedly committed in the course of and after Operation Storm, between August and November 1995, in the Krajina region of Croatia. Ante Gotovina is charged with four counts of crimes against humanity and three counts of violations of the laws or customs of war allegedly committed between August and November 1995 in the Krajina region of Croatia. The Trial Chamber has issued 22 pretrial decisions.

Mićo Stanišić

46. Mićo Stanišić is charged with seven counts of crimes against humanity and three counts of violations of the laws or customs of war allegedly committed in the period from 1 April to 31 December 1992 in Bosnia and Herzegovina. The Trial Chamber has issued nine pretrial decisions.

Haradinaj, Balaj and Brahimaj

47. Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj are charged with 37 counts of crimes against humanity and violations of the laws or customs of war relating to events alleged to have taken place in 1998 in Kosovo. The Trial Chamber has issued 31 pretrial decisions.

Trbić

48. Milorad Trbić is charged with genocide and conspiracy to commit genocide, as well as five counts of crimes against humanity and one count of violation of the laws or customs of war.

(b) Trial

Limaj, Bala and Musliu

49. In the trial against Fatmir Limaj, Haradin Bala and Isak Musliu, the Trial Chamber composed of Judges Parker (presiding), Thelin and Van Den Wyngaert, delivered judgement on 30 November 2005. Limaj and Musliu were acquitted. Bala was found guilty on three counts of violations of the laws or customs of war, for torture, cruel treatment and murder committed between May and July 1998 in a Kosovo Liberation Army prison camp in the village of Llapushnik in central Kosovo and in the nearby Berisha Mountains. He was sentenced to 13 years' imprisonment.

Hadžihasanović and Kubura

50. In the trial against Enver Hadžihasanović and Amir Kubura, the Trial Chamber, composed of Judges Antonetti (presiding), Rasoazanany and Swart, delivered judgement on 15 March 2006. Both accused were found guilty for having failed to take necessary and reasonable measures to prevent the commission of crimes by their subordinates. Hadžihasanović was sentenced to five years' and Kubura to 2 ½ years' imprisonment.

Orić

51. In the trial against Naser Orić, the Trial Chamber, composed of Judges Agius (presiding), Brydensholt and Eser, delivered judgement on 30 June 2006. The accused was found guilty for having failed to take necessary and reasonable measures to prevent the commission of crimes by his subordinates in and around the Srebrenica area of Bosnia and Herzegovina in the course of 1992 and 1993. He was sentenced to two years' imprisonment.

Mrkšić, Radić and Šljivančanin

52. The trial against Mile Mrkšić, Miroslav Radić and Veselin Šljivančanin commenced on 10 October 2005 before the Trial Chamber, composed of Judges Parker (presiding), Van Den Wyngaert and Thelin. The three accused are charged with five counts of crimes against humanity and four counts of violations of the laws or customs of war in relation to the mass killings in the Vukovar Hospital in November 1991.

Popović et al.

53. Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Vinko Pandurević, and Zdravko Tolimir are charged with genocide and conspiracy to commit genocide, as well as five counts of crimes against humanity and one count of violation of the laws or customs of war. Radivoje Miletić and Milan Gvero are charged with four counts of crime against humanity and one count of violation of

the laws or customs of war. The Trial Chamber has issued 48 decisions.[1] The trial commenced on 14 July 2006. The case is presided over by Judge Agius, sitting with Judges Kwon, Prost and Støle.

3. Trial Chamber III

(a) Pretrial

54. Throughout the reporting period, the Trial Chamber issued numerous orders and decisions in the various pretrial cases before it. These cases included that against Milan Milutinović and others, Rasim Delić, Franko Simatović and Jovica Stanišić, Momčilo Perišić, Milan and Sredoje Lukić, Željko Mejaki and others.

(b) Trial

Milošević

55. Slobodan Milošević was charged with individual criminal responsibility, including superior responsibility, for 66 counts of grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, genocide or complicity in genocide and crimes against humanity, committed in Croatia between August 1991 and June 1992, Bosnia and Herzegovina between 1992 and 1995, and Kosovo between January 1999 and June 1999. The trial commenced on 12 February 2002. The prosecution rested its case on 25 February 2004; the defence case began on 31 August 2004 and ended prematurely with Milošević's death in the Detention Unit on 11 March 2006.

Prlić et al.

56. The trial of Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pušić, charged with 26 counts of grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war and crimes against humanity, allegedly committed in several municipalities of central and south-western Bosnia and Herzegovina in the period from 1992-1994, commenced on 26 April 2006. The presiding judge is Judge Antonetti, sitting with Judge Prandler, Judge Trechsel and reserve Judge Mindua.

Milutinović et al.

57. The multi-accused trial of Milutinović et al. commenced on 10 July 2006, before Judges Bonomy (presiding) Chowhan, Kamenova and reserve Judge Nosworthy. The indictment against Milutinović et al. charges the accused with five counts of violations of the laws or customs of war and crimes against humanity for a campaign of ethnic cleansing allegedly carried out by Federal Republic of Yugoslavia and Serbian forces in Kosovo in 1999.

Marijačić and Rebić

58. In its judgement of 10 March 2006, the Trial Chamber found Ivica Marijačić and Markica Rebić guilty of contempt of the Tribunal for disclosing information

[1] These accused were joined on 22 September 2005 and the decisions issued in the separate cases have been added together here. The case of Milorad Trbić was severed on 26 June 2006.

about a protected Tribunal witness in a Croatian newspaper, in violation of a closed session order.

Jović

59. The trial of Josip Jović, a Croatian journalist charged with contempt of the Tribunal for disclosing information about a protected witness, was held on 11 July 2006. The judgement in the case is expected to be rendered following the recess in the second quarter of 2006.

Bralo

60. In October 2005, the Trial Chamber held a sentencing hearing in the case of Miroslav Bralo, who pled guilty to charges including persecutions, murder and torture, for his role in an attack on the village of Ahmići in Bosnia and Herzegovina in 1993. The Chamber issued its sentencing judgement on 7 December 2005 and sentenced him to 20 years' imprisonment.

4. Referral Bench

Accused referred to the authorities of a State

61. The Referral Bench is composed of Judges Orie (presiding), Parker and Kwon. The cases of nine accused have been referred under rule 11 bis: Radovan Stanković (to Bosnia and Herzegovina on 29 September 2005) and Gojko Janković (to Bosnia and Herzegovina on 8 December 2005); Rahim Ademi and Mirko Norac (to Croatia on 1 November 2005); Željko Mejakić, Momčilo Gruban, Dušan Fuštar and Duško Knežević (to Bosnia and Herzegovina on 9 May 2006); and Paško Ljubičić (transfer to Bosnia and Herzegovina is imminent).

Cases before the Referral Bench

62. The cases of five accused are currently before the Referral Bench: Vladimir Kovačević; Milan Lukić; Sredoje Lukić; Dragan Zelenović and Milorad Trbić.

C. Appeals Chamber

1. Interlocutory appeals

63. Thirty-two decisions on interlocutory appeals were issued in the following cases: Boskoski and Tarčulovski (2); Delić (1); Halilović (1); Haradinaj and Brahimaj (2); Janković (1); Jović (1); Krajišnik (1); Krizić (1); Mejakić (1); Milutinović et al. (3); Milošević (2); Pandurević and Trbić (2); Petković (1); Popović (1); Popović et al. (2); Prlić et al. (1); Šešelj (1); Stanisić (1); Todović (1); Tolimir et al. (2). There were also three (3) confidential decisions on interlocutory appeals. Four interlocutory appeals are pending in the Boskoski and Tarčulovski, Krajisnik, Martić, and Prlić et al. cases.

2. Contempt appeals

64. On 29 August 2005, the Appeals Chamber dismissed the appeal filed by Kosta Bulatović on 27 May 2005 in the Milošević case, affirming his conviction for contempt. A new contempt appeal filed on 20 March 2006 by Ivica Marijačić and Markica Rebić against the judgement rendered against them is pending.

3. Referral appeals

65. On 1 September 2005, 15 November 2005, 7 April 2006 and 4 July 2006, respectively, the Appeals Chamber disposed of four appeals in Stanković, Mejakić et al., Janković and Ljubičić, referring these cases to the authorities of the State of Bosnia and Herzegovina pursuant to rule 11 bis of the rules. A fifth referral appeal is pending in the Todović and Rašević case for referral to Bosnia and Herzegovina, following the issuance by the Referral Bench on 31 May 2006 of a new decision with respect to Savo Todović.

4. Requests for review and/or reconsideration

66. Three requests for review are pending. In the Blaškić case, on 29 July 2005, the Prosecution filed confidentially a request for review and reconsideration of the Appeals Chamber's judgement of 29 July 2004 (a public redacted version was filed on 10 July 2006). In the Kvočka et al. case, requests for review of the Appeals Chamber's judgement of 28 February 2005 have been filed respectively by Mlado Radić on 27 February 2006 and by Zoran Zigić on 14 June 2006. Also in the Kvočka et al. case, a request for reconsideration filed by Zoran Zigić on 7 December 2005 was dismissed on 26 June 2006.

5. Appeals on the merits

67. The Appeals Chamber rendered four final judgements: on 30 August 2005, it dismissed the sentencing appeal filed by Miodrag Jokić; on 8 March 2006, it allowed Momir Nikolić's sentencing appeal in part and revised the sentence to 20 years' imprisonment; on 22 March 2006, it allowed in part both the prosecution's appeal and Milomir Stakić's appeal and imposed a global sentence of 40 years' imprisonment; and on 3 May 2006, it allowed in part the prosecution's appeal, as well as Mladen Naletilić's and Vinko Martinović's appeals, and affirmed their respective sentences of 20 years' and 18 years' of imprisonment.

68. During the reporting period, four new appeals from judgement were filed before the Appeals Chamber in the Halilović, Limaj et al, Bralo and Hadžihasanović and Kubura cases. Nine appeals were pending from the previous reporting period. The Appeals Chamber held hearings in the Simić case and is currently deliberating. Pre-appeal activity is ongoing in the Blagojević and Jokić, Bralo, Brđanin, Galić, Halilović, Hadžihasanović and Kubura, Limaj et al. and Strugar cases. A total of 112 pre-appeal decisions and orders have been issued and the Blagojević and Jokić, Bralo, Brđanin and Galić cases are being prepared for hearings in the second half of 2006.

IV. Activity of the Office of the Prosecutor

A. Overview

69. A significant increase in the pretrial, trial and appellate work outputs, the termination of the *Milošević* trial due to the death of the accused and the successful operation to arrest Ante Gotovina marked the reporting period. There were no new indictments (except for contempt of court) issued, in accordance with the completion strategy of the Tribunal. The Prosecutor focused her efforts on doing everything possible to bring the remaining accused at large to the Tribunal. Efforts were made to obtain full cooperation of relevant countries, resulting in several arrests and better production of documents. The Office of the Prosecutor continued to provide assistance in furthering the reform of the judicial systems of the countries of the former Yugoslavia.

70. The Office of the Prosecutor also continued its activity regarding the transfer of cases under rule 11 bis to national courts and cooperated with the national prosecutorial authorities on non-referred war crimes cases. Altogether, 13 motions for the transfer of 21 accused were filed.

B. Investigations

71. Josip Jović and Marijan Križić were indicted on 29 August 2005 for contempt of court (publication of the protected witness testimony in violation of the court orders) similar to charges brought against four others in April 2005. New contempt proceedings remain possible until the end of the mandate of the Tribunal.

C. Arrest and surrender of accused

72. In August 2005, two accused were located and arrested: Milan Lukić, in Argentina, and Dragan Zelenović, in Russia. Both accused were handed over to the Tribunal with some delay on 21 February 2006 and 10 June 2006 accordingly. The accused Ante Gotovina was arrested in Spain on 7 December 2005 and promptly transferred to the Detention Unit on 10 December.

73. The failure to arrest Radovan Karadžić and Ratko Mladić remains of grave concern for the proper administration of justice.

D. Pretrial procedure, trials and appeals

74. The prosecution was involved in pretrial and trial procedures in 23 cases (against 51 accused; not counting three contempt cases) and in seven rule 11 bis cases. The prosecution conducted 10 trials and was also involved in 15 post-judgement appellate proceedings.

E. Cooperation

75. The Tribunal's successful completion of its mandate depends on the full cooperation of relevant States, primarily the timely arrests of the six remaining

fugitives, so that the cases with a similar crime base can be joined to those already before the Tribunal.

1. Arrests

76. The Prosecutor continued her efforts with the relevant Governments and international institutions to secure arrests or surrenders. Despite the resources and time spent, only three accused were delivered to The Hague. The authorities of Serbia and Montenegro, but in particular the Government of Serbia, and the authorities of the Republika Srpska failed to arrest a single fugitive.

2. Croatia

77. Cooperation of the Government of Croatia, in regard to requests for assistance, information, archives, witnesses and suspects, remained swift and satisfactory. The operation to arrest and transfer accused Ante Gotovina can be credited to the efforts of the Government of Croatia.

78. Cooperation with the Office of the State Attorney of Croatia with respect to the referred Norac/Ademi case (under rule 11 bis), as well as other war crimes cases, has been efficient and professional.

3. Serbia and Montenegro

79. Cooperation by Serbia and Montenegro is not complete, consistent or expeditious. In the reporting period, the authorities in Belgrade assured the Prosecutor on a number of occasions that political will existed to finalize the issue of cooperation with the Tribunal. Regrettably, no progress was made on any of the six remaining fugitives, all of whom have connections to Serbia. Despite a number of promises and deadlines passed, the authorities failed to locate, arrest and transfer Ratko Mladić, who is identified as a priority target. The authorities, it appears, would prefer Mladić to surrender voluntarily.

80. Positive efforts of the President of the National Council for Cooperation, Rasim Ljajić, produced progress in regard to waivers for interviews and access to documents. In May 2006, the authorities of Serbia and Montenegro finally approved staff of the Office of the Prosecutor access to its archives, and the first mission's results were encouraging.

81. The independence of Montenegro, declared in June 2006, did not have any immediate negative impact on cooperation. The Office of the Prosecutor continued to have direct and positive cooperation with the Government of Montenegro. Assurances were made to confirm the commitment of the Government of Serbia to continuity of the new State's (Serbia) obligations towards the Tribunal.

4. Bosnia and Herzegovina: Federation of Bosnia and Herzegovina and Republika Srpska

82. Cooperation of the Federation of Bosnia and Herzegovina remained satisfactory, while cooperation of the Republika Srpska was not fully sufficient. The new government in Banja Luka assured the Prosecutor of its commitment to full cooperation. Recently, some significant archival collections appeared to be available to the Office, while some archives are still missing. There has been no arrest of accused by the Republika Srpska police; however, positive efforts were made

against the network of supporters and in tracing some of the fugitives. No progress was made to locate Karadžić.

83. Since the establishment of the Special War Crimes Chamber of the State Court of Bosnia and Herzegovina (in March 2005), cooperation with the war crimes section in the Office of the State Prosecutor of Bosnia and Herzegovina has intensified and significant results have been achieved. The first war crimes indictments were launched by the national prosecutors and three rule 11 bis cases were transferred from the Tribunal. Through training sessions and seminars, cooperation between the Office of the Prosecutor and the Bosnia and Herzegovina State Prosecutor's Office has matured into a true partnership for the prosecution of war crimes cases.

5. The former Yugoslav Republic of Macedonia

84. There were no particular problems in cooperation with the Government of the former Yugoslav Republic of Macedonia in the reporting period. Last year, the Prosecutor notified of her intention to refer back four cases to the former Yugoslav Republic of Macedonia, for which no indictments had been filed. On 16 February 2006, the Prosecutor met the Minister of Justice to discuss the modalities of the transfer; for judicial reasons, the transfer process will commence at the beginning of 2007.

6. Assistance in the territory of the former Yugoslavia and beyond

85. Reliance on international organizations and the support of the international community remains essential for the Prosecutor's activities. The Office of the Prosecutor enjoyed full support and assistance from the Office of the High Representative in Bosnia and Herzegovina. The Prosecutor was assured on a number of occasions that the commands in Bosnia and Herzegovina of the North Atlantic Treaty Organization and of the European Union force in Bosnia and Herzegovina (EUFOR) will continue to provide assistance to the Tribunal. However, the last successful operation to arrest a fugitive was conducted in July 2002 and there is insufficient coordination and sustained effort by different entities and agencies to capture Karadžić.

86. In Kosovo, the Office of the Prosecutor relied on the support and assistance of Kosovo Force (KFOR). However, in the reporting period, the Prosecutor had serious concerns regarding the lack of full cooperation provided by the United Nations Interim Administration Mission in Kosovo.

87. The valuable capacity of the Organization for Security and Cooperation in Europe missions in the region to monitor the war crimes trials, specifically the cases transferred from the Tribunal to the domestic courts under rule 11 bis, must be maintained.

88. There was ample example during the reporting period of the importance to the Tribunal's success of European Union support and conditionality being applied to all States of the former Yugoslavia with aspirations of joining the European Union.

7. Training and assistance in the development of domestic jurisdictions

89. The Office of the Prosecutor continued to encourage and support the furtherance of the rule of law in the region, yielding very encouraging results in the

course of national trials for war crimes. Training sessions, conferences and seminars were held and the volume of direct prosecutorial cooperation and exchange of evidence in specific cases with national prosecutorial authorities increased manifold. The formed important partnerships of the Office of the Prosecutor with State Attorney M. Bajić in Zagreb, State Prosecutor M. Jurčević in Sarajevo and Prosecutor for War Crimes V. Vukčević, in Belgrade.

V. Activity of the Registry

90. The Registry, headed by Hans Holthuis, continued to play a crucial role at the Tribunal by providing administrative functions and judicial support.

A. Office of the Registrar

91. Key achievements of the Registry Advisory Section were the drafting of briefs in several personnel cases and other claims. The Section also negotiated a substantial number of commercial contracts. It maintained relations with the host State over numerous issues and advised on the conclusion of an agreement with the host State for making additional privileges available to staff at the P-4 level and below, and on an agreement for the extension of the services and facilities for the Detention Unit.

92. The Section also pursued the action plan of the Registrar to obtain 10 more relocation of witnesses and enforcement of sentences agreements. The Section assisted the Registrar with the management of the completion strategy planning dossier, liaisons with the Office of Legal Affairs of the United Nations Secretariat and fundraising and related legal issues. The Section facilitated cooperation with domestic courts in the former Yugoslavia in the context of the transfer of cases. The Registrar also met with the Registrars of the Tribunal for Rwanda, the Special Court for Sierra Leone and the International Criminal Court in order to discuss best practices.

93. During 2005, the Section, in cooperation with the General Services Section, continued to work actively on Tribunal legacy issues, which include ongoing legal responsibilities and the disposition and management of the Tribunal's archives. In November 2005, the Tribunal submitted a joint Tribunal for Yugoslavia/Tribunal for Rwanda discussion paper to the Office of Legal Affairs.

94. The former Public Information Service and Outreach Programme were reorganized into the Communications Service in 2005. The Section currently consists of a Media/Web/Outreach Office and a Publications/Tribunet/Visits Office. Throughout the reporting period, public interest in the Tribunal was more pronounced. More than 100 press releases were issued, 40 regular press briefings were held and approximately 500 interviews of senior staff or judges with journalists were organized.

95. In the region of the former Yugoslavia, the Outreach Programme carried out a diverse range of public relations activities, produced a number of publications in the local languages and implemented and participated in conferences, round tables and workshops. The Programme also brought numerous persons and groups from the region to the seat of the Tribunal.

96. The Web Unit of the Media/Web/Outreach Office continued to develop the Tribunal's extensive website in English, French and Bosnian/Croatian/Serbian, as well as information in Albanian and Macedonian. The Section maintained the Internet broadcast of courtroom proceedings in English, French, Bosnian/Croatian/Serbian and, in cases, relevant to Kosovo, in Albanian. The Publications/Tribunet/Visits Office ran several important services, among them many visits of legal professionals, documentation requests and the Tribunal's prize-winning Intranet.

B. Judicial Support Services Division

97. In the reporting period, the Court Management and Support Services Section supported 10 trials and numerous other hearings and maintained all court records, transcripts and judicial archives for the Tribunal. During the same period, the local Information and Communication Technologies Committee and Organization-wide Programme Review Committee gave their approval to launch the judicial database, which contains all of the Tribunal's jurisprudence. It is anticipated that the entirety of the Tribunal's public jurisprudence should be available online by the end of 2006.

98. Since 1 August 2005, the Operations Unit of the Victims and Witnesses Section has brought 321 witnesses and accompanying persons to The Hague. The Unit organized the fifth network development conference, in September 2005, in Sarajevo, building on four previous conferences aimed at establishing referral networks for witnesses requiring psycho-social assistance.

99. The Protection Unit of the Victims and Witnesses Section continues its work in the relocation of protected witnesses.

100. During the reporting period, the Detention Unit was operating at a high level of activity, especially following the death of Milan Babić, a detained witness previously convicted by the Tribunal who committed suicide on 5 March 2006, and Slobodan Milošević who died of natural causes on 11 March 2006. An audit conducted by representatives of the Government of Sweden thereafter found the quality of care and security generally to be positive but also made a number of recommendations, which are being implemented by a working group.

101. In December 2005, the Detention Unit successfully moved all detainees, staff and infrastructure, from two physically separate units of 36 and 32 cells into a single facility of 84 cells. The move has facilitated a far more cohesive programme of remand for all detainees and better allows for the flexibility required to hold high profile accused.

102. As a direct result of the move towards implementing the e-Court system and the right of accused to participate in their own defence, the Registry implemented a procedure to allow the secure use of computers by detainees. Each detainee currently has the opportunity to be provided with a specially configured Registry-owned computer in their cell.

103. The Office for Legal Aid and Detention Matters has developed a separate information technologies network for defence counsel to allow them to access the Tribunal's judicial database from any location. Cooperation and coordination with defence counsel has improved, an example being the finalized version of an amended directive on the assignment of defence counsel. The Registry is seeing the

benefits of a tightened regime of qualification requirements for defence counsel. Issues related to counsel conduct and financial procedures are arising less often. Finally, the Office and the Registry have cooperated intensively with the Registry bodies at the State court in Sarajevo in relation to the Tribunal's referral decisions under rule 11 bis.

104. The Registry continued to facilitate the rights of defendants through a diverse and competent force of defence counsel, defence assistants and experts. Many defence counsel are organized into the Association of Defence Counsel practising before the Tribunal, a key body in maintaining a dialogue between the Tribunal and counsel on financial and other procedural issues.

105. The Registrar was further assisted by an advisory panel, a body composed of attorneys advising on issues related to defence counsel. The Disciplinary Panel for Defence Counsel, according to the code of professional conduct, processed several disciplinary cases.

106. International and national law journals, as well as e-journals, were made electronically available through the Tribunet. Users can now also access other national commercial databases in Dutch, French, German and Swedish. Within the framework of the inter-tribunal cooperation agreement, the library continued its support for the libraries of the Tribunal for Rwanda and the Special Court of Sierra Leone.

C. Administrative Support Services Division

107. By its resolution 60/243, the General Assembly decided to appropriate to the Special Account for the Tribunal a total amount of $305,137,300 gross ($278,559,400 net) for the biennium 2006-2007. The appropriation reflects a reduction in nominal terms of approximately 7 per cent as compared with the revised appropriation for the biennium 2004-2005.

108. In its resolutions 49/242 B and 53/212, the General Assembly invited Member States and other interested parties to make voluntary contributions to the Tribunal that were acceptable to the Secretary-General. As of 15 June 2006, cash donations of approximately $43 million had been received for the voluntary fund to support the activities of the Tribunal. This includes a total of $825,000 received during the reporting period. Voluntary contributions have been utilized for activities related to supporting the Tribunal's prosecution and investigation activities, such as the arrest initiative, prosecution support, the review of cases through the rules of the road project and joint advocacy training programmes. Contributions have also assisted the Registry through support of victims and witnesses, the outreach programme and support to inter Tribunal cooperation.

109. The staffing table approved for the biennium 2006-2007, which reflects no variation vis-à-vis 2005 levels, encompasses a total of 990 posts (987 for the Tribunal and 3 for Office of Internal Oversight Services resident auditors). The approved budget included 20 internal redeployments intended to strengthen trial and appellate support work in both the Office of the Prosecutor and Chambers as follows: (a) seven posts to the Appeals Unit of the Office of the Prosecutor; (b) eight Professional posts to the Prosecution Division of the Office of the Prosecutor; and (c) five Professional posts to the Chambers Legal Support Section of the Registry.

These redeployments were approved in response to the shift in the Tribunal's focus towards high-level perpetrators, multi-accused cases and more complex appeals, expected to be held during the biennium 2006-2007.

110. During the reporting period, the Human Resources Section recruited 73 staff in the Professional and higher categories and 103 General Service staff. The Section oversaw the administration of a total of 1,112 staff members: 447 at the Professional level (44 per cent of whom are female) and 665 at the General Service level. The Tribunal has staff from 80 countries. One hundred ninety-nine Interns provided assistance to the Tribunal, while the number of consultants and individual contractors totalled 185. Some 900 staff took part in training activities.

111. The departure of key personnel in advance of the completion dates would have a negative impact on the Tribunal's ability to meet its mandate; to stem such departures, the Human Resources Section has implemented a number of measures to improve job security.

112. In June 2005, a project was organized to remodel the three courtrooms of the Tribunal and support facilities to allow trials of up to 18 accused simultaneously. At the same time, technical alterations were made to provide full implementation of the e-Court system environment and to allow simultaneous interpretation into four languages. The project was completed within the Tribunal's budgetary allotment for the 2004-2005 biennium.

113. In collaboration with the United Nations Archives and Records Management Section, the Section continues to work on projects required to prepare the Tribunal's substantive records for transfer and dissemination prior to closure. Partially in response to these initiatives, the Government of the host State, through the Office of the Mayor of The Hague, organized a meeting on judicial archives in The Hague, on 14 July 2006, in which the Registry participated.

114. In 2005, the Procurement Section, which ensures the transparent acquisition of goods and services for the Tribunal at the best value, signed eight service contracts in coordination with the requisitioning offices at the Tribunal that are valid through 2010, in parallel with the completion strategy.

VI. Conclusion

115. As the present report demonstrates, the Tribunal remained committed to doing all in its power to discharge its mandate as effectively and efficiently as possible during the reporting period. Significant challenges were faced, with the deaths of Slobodan Milošević and Milan Babić. Nevertheless, the Tribunal intensified its judicial and prosecutorial work, completed a number of internal reforms to implement the completion strategy and strengthened efforts to further the rule of law in the former Yugoslavia as a central part of its legacy. Key achievements include: the referral of cases of nine lower to mid-level accused to the region; the early commencement of the three trials of multi-accused involving 21 accused and joining 14 cases; the adoption of several amendments to the rules to speed up appeals proceedings and to shorten the prosecution's indictments; the implementation of concrete measures for shortening and streamlining pretrial and trial proceedings; the appointment of ad litem reserve judges to trials of multi-accused; and the remodelling of the Tribunal's courtrooms to accommodate larger trials.

116. Since the Tribunal began, 161 persons have been charged and proceedings against 94 accused have concluded. In addition, several proceedings in the former Yugoslavia have commenced independently against alleged perpetrators. It is crucial that States, especially those in the former Yugoslavia, cooperate fully so that the remaining high-level fugitives, in particular Ratko Mladić and Radovan Karadžić, are apprehended and tried before the Tribunal. Only then will peace and reconciliation in the former Yugoslavia be fully restored.